

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CARLA J. SCHREIBER,)	
)	
Plaintiff,)	
)	8:05CV537
vs.)	
)	ORDER
STATE OF NEBRASKA and)	
NEBRASKA STATE PATROL,)	
)	
Defendants.)	

This matter is before the court on plaintiff's Motion for Reconsideration [94] of the October 24, 2006 Order [75] denying plaintiff's motion for leave to file a third amended complaint. Plaintiff subsequently filed a "Statement of Objection" to the October 24 order. The court construes this filing [97] as an appeal of the October 24 Order pursuant to NECivR 72.2.¹

Under NECivR 60.1(c), "Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of (1) a showing of manifest error in the prior ruling; or (2) a showing of new facts or legal authority, neither of which could have been brought to the court's attention earlier with reasonable diligence." Considering the materials submitted by the plaintiff, the defendants' response [99], and in light of the appeal [97] filed by plaintiff's co-counsel, I find that the requirements of NECivR 60.1 have not been met.

IT IS ORDERED that plaintiff's Motion for Reconsideration [94] is denied.

DATED November 8, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**

¹Pursuant to NECivR 72.2, a party may appeal a nondispositive order entered in a civil case by filing a "Statement of Appeal of Magistrate Judge's Order" within ten (10) days after being served with the order. The party must specifically state the order or portion thereof appealed from and the basis of the appeal. The appealing party must file contemporaneously with the statement of appeal a brief setting forth the party's arguments that the magistrate judge's order is clearly erroneous or contrary to law.